

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

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**FORTY-SIXTH LEGISLATIVE DAY**  
**THURSDAY, FEBRUARY 22, 2007**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Andreason and Pearce, absent and formally excused by the Chair; and Senators Bair, Bastian, Bilyeu, Broadsword, Cameron, Fulcher, Hammond, Hill, Keough, Richardson, and Werk, absent and excused.

President Risch assumed the Chair.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Sibylle Gorla, Page.

The Senate advanced to the Third Order of Business.

### **Reading and Correction of the Journal**

Senator Hill was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 21, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### **Petitions, Resolutions, and Memorials**

#### **SCR 112**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND  
REJECTING CERTAIN RULES OF THE DEPARTMENT OF  
HEALTH AND WELFARE RELATING TO MEDICAID  
ENHANCED PLAN BENEFITS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Department of Health and Welfare regarding Medicaid Enhanced Plan Benefits is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 16.03.10, Medicaid Enhanced Plan Benefits, Section 112, relating to Enhanced Outpatient Mental Health Services - Participant Eligibility, Subsections 02.d and 03.a, only, Rules of the Department of Health and Welfare, as adopted as pending rules under Docket Number 16-0310-0602, be, and the same are hereby rejected and declared null, void and of no force and effect.

#### **SCR 113**

#### **BY JUDICIARY AND RULES COMMITTEE**

#### **A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND  
REJECTING PENDING RULES OF THE IDAHO BOARD OF  
PHARMACY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho State Board of Pharmacy are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 27.01.01, Rules of the Idaho State Board of Pharmacy, adopted as pending rules under Docket Number 27-0101-0602, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**SCR 112** and **SCR 113** were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### **Reports of Standing Committees**

Senators Bair and Hammond were recorded present at this order of business.

February 22, 2007

The JUDICIARY AND RULES Committee reports that **S 1165**, **S 1166**, **SJM 105**, **SJM 106**, and **SCR 111** have been correctly printed.

DARRINGTON, Chairman

**S 1165** and **S 1166** were referred to the State Affairs Committee.

**SJM 105, SJM 106, and SCR 111** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 21, 2007

The JUDICIARY AND RULES Committee reports that **SCR 102** and **SCR 103** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **SCR 102** and **SCR 103**, and ordered them transmitted to the House for the signature of the Speaker.

February 21, 2007

The JUDICIARY AND RULES Committee reports out **S 1151, S 1160, and HCR 11** with the recommendation that they do pass.

DARRINGTON, Chairman

**S 1151** and **S 1160** were filed for second reading.

**HCR 11** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

#### Messages from the House

Senators Bastian, Bilyeu, Broadsword, and Fulcher were recorded present at this order of business.

February 21, 2007

Mr. President:

I transmit herewith Enrolled **H 23, H 64, and H 66** for the signature of the President.

JUKER, Chief Clerk

The President signed **H 23, H 64, and H 66** and ordered them returned to the House.

February 21, 2007

Mr. President:

I return herewith Enrolled **S 1017**, as amended, and **S 1071** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1017**, as amended, and **S 1071** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

Senators Cameron, Keough, and Richardson were recorded present at this order of business.

The President announced the State Affairs Committee report relative to the Gubernatorial appointment of Bud Tracy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Darrington, seconded by Senator Davis, the Gubernatorial appointment of Bud Tracy as a member of the State Building Authority was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1167

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE BOARD OF TAX APPEALS FOR FISCAL YEAR 2007; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND DECLARING AN EMERGENCY.

##### S 1168

##### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2007; AND DECLARING AN EMERGENCY.

##### S 1169

##### BY JUDICIARY AND RULES COMMITTEE

##### AN ACT

RELATING TO BUSINESS ENTITIES; AMENDING TITLE 30, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 4, TITLE 30, IDAHO CODE, TO SET FORTH THE IDAHO REGISTERED AGENTS ACT, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO SET FEES, TO PROVIDE FOR ADDRESSES IN FILINGS, TO PROVIDE FOR APPOINTMENT OF A REGISTERED AGENT, TO PROVIDE FOR THE LISTING OF A COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR TERMINATION OF A LISTING OF A COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR CHANGE OF REGISTERED AGENT BY ENTITY, TO PROVIDE FOR CHANGE OF NAME OR ADDRESS BY NONCOMMERCIAL REGISTERED AGENT, TO PROVIDE FOR CHANGE OF NAME, ADDRESS OR TYPE OF ORGANIZATION BY COMMERCIAL REGISTERED AGENT, TO PROVIDE FOR RESIGNATION OF REGISTERED AGENT,

TO PROVIDE FOR APPOINTMENT OF AGENT BY A NONFILING OR NONQUALIFIED FOREIGN ENTITY, TO PROVIDE FOR SERVICE OF PROCESS ON ENTITIES, TO PROVIDE DUTIES OF REGISTERED AGENTS, TO PROVIDE FOR JURISDICTION AND VENUE, TO PROVIDE FOR CONSISTENCY OF APPLICATION, TO PROVIDE RELATION TO A FEDERAL ACT AND TO PROVIDE FOR APPLICATION; AMENDING SECTION 30-1-120, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING EXCEPTIONS; AMENDING SECTION 30-1-122, IDAHO CODE, TO REVISE FEES; AMENDING SECTION 30-1-125, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING EXCEPTIONS; AMENDING SECTION 30-1-141, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING NOTICES TO REGISTERED OFFICES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-1-202, IDAHO CODE, TO REQUIRE THAT ARTICLES OF INCORPORATION PROVIDE CERTAIN INFORMATION AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTIONS 30-1-501, 30-1-502, 30-1-503 AND 30-1-504, RELATING TO REGISTERED OFFICES AND AGENTS OF CORPORATIONS; AMENDING SECTIONS 30-1-703, 30-1-720 AND 30-1-809, IDAHO CODE, TO REVISE APPLICABLE COURTS; AMENDING SECTION 30-1-1005, IDAHO CODE, TO REVISE PROVISIONS RELATING TO AMENDMENT OF ARTICLES OF INCORPORATION BY BOARD OF DIRECTORS; AMENDING SECTION 30-1-1107, IDAHO CODE, TO REVISE SERVICE OF PROCESS PROVISIONS; AMENDING SECTION 30-1-1330, IDAHO CODE, TO REVISE APPLICABLE COURTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-1-1407, IDAHO CODE, TO REVISE APPLICABLE COUNTIES FOR PURPOSES OF PUBLISHED NOTICES; AMENDING SECTION 30-1-1408, IDAHO CODE, TO REVISE APPLICABLE COURTS; AMENDING SECTION 30-1-1420, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING REGISTERED OFFICES; AMENDING SECTION 30-1-1421, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 30-1-1431, IDAHO CODE, TO REVISE APPLICABLE COURTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-1-1503, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION IN AN APPLICATION FOR CERTIFICATE OF AUTHORITY; AMENDING SECTION 30-1-1504, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION IN AN AMENDED CERTIFICATE OF AUTHORITY; REPEALING SECTIONS 30-1-1507, 30-1-1508 AND 30-1-1509, IDAHO CODE, RELATING TO REGISTERED OFFICES AND REGISTERED AGENTS OF FOREIGN CORPORATIONS; AMENDING SECTION 30-1-1530, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING REGISTERED OFFICES; AMENDING SECTION 30-1-1604, IDAHO CODE, TO REVISE APPLICABLE COURTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-1-1605, IDAHO CODE, TO REVISE APPLICABLE COURTS; AMENDING SECTION 30-1-1622, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION FOR ANNUAL REPORTS; AMENDING SECTION 30-3-2, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING EXCEPTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-3-4, IDAHO CODE, TO REVISE FEES; AMENDING SECTION 30-3-7, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING EXCEPTIONS; AMENDING

SECTION 30-3-8, IDAHO CODE, TO REVISE APPLICABLE COURTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-3-17, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION FOR ARTICLES OF INCORPORATION; REPEALING SECTIONS 30-3-30, 30-3-31, 30-3-32 AND 30-3-33, IDAHO CODE, RELATING TO REGISTERED OFFICES AND REGISTERED AGENTS OF NONPROFIT CORPORATIONS; AMENDING SECTIONS 30-3-48 AND 30-3-54, IDAHO CODE, TO REVISE APPLICABLE COURTS; AMENDING SECTION 30-3-90, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION FOR AMENDMENT OF ARTICLES OF INCORPORATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-3-104, IDAHO CODE, TO REVISE SERVICE OF PROCESS PROVISIONS; AMENDING SECTION 30-3-115, IDAHO CODE, TO REVISE APPLICABLE COUNTIES FOR PURPOSES OF PUBLIC NOTICES; AMENDING SECTION 30-3-115A, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING REGISTERED OFFICES; AMENDING SECTION 30-3-115B, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 30-3-115C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REINSTATEMENT FOLLOWING ADMINISTRATIVE DISSOLUTION; AMENDING SECTION 30-3-118, IDAHO CODE, TO REVISE ADDRESS INFORMATION REQUIRED FOR AN APPLICATION FOR A CERTIFICATE OF AUTHORITY FOR A FOREIGN CORPORATION; AMENDING SECTION 30-3-119, IDAHO CODE, TO REVISE INFORMATION REQUIRED FOR AMENDED CERTIFICATES OF AUTHORITY; REPEALING SECTIONS 30-3-122, 30-3-123, 30-3-124 AND 30-3-125, IDAHO CODE, RELATING TO REGISTERED OFFICES AND REGISTERED AGENTS OF FOREIGN CORPORATIONS; AMENDING SECTION 30-3-126, IDAHO CODE, TO REMOVE CODE REFERENCES; AMENDING SECTION 30-3-127, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO GROUNDS FOR REVOCATION OF CERTIFICATE OF AUTHORITY; AMENDING SECTION 30-3-128, IDAHO CODE, TO REMOVE A CODE REFERENCE; REPEALING SECTIONS 53-2-114, 53-2-115, 53-2-116 AND 53-2-117, IDAHO CODE, RELATING TO REGISTERED OFFICES AND REGISTERED AGENTS OF LIMITED PARTNERSHIPS; AMENDING SECTION 53-2-201, IDAHO CODE, TO REVISE INFORMATION REQUIRED FOR CERTIFICATES OF LIMITED PARTNERSHIP; AMENDING SECTION 53-2-202, IDAHO CODE, TO REVISE INFORMATION REQUIRED FOR AN AMENDMENT OR RESTATEMENT OF CERTIFICATE; AMENDING SECTION 53-2-206, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 53-2-208, IDAHO CODE, TO REVISE A CODE REFERENCE; AMENDING SECTION 53-2-210, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO ANNUAL REPORTS; AMENDING SECTIONS 53-2-304 AND 53-2-407, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 53-2-807, IDAHO CODE, TO REVISE APPLICABLE COUNTIES FOR PURPOSES OF PUBLIC NOTICES; AMENDING SECTION 53-2-902, IDAHO CODE, TO REVISE INFORMATION REQUIRED FOR APPLICATIONS FOR CERTIFICATE OF AUTHORITY; AMENDING SECTION 53-2-906, IDAHO CODE, TO REVISE A CODE REFERENCE, TO REMOVE A CODE REFERENCE AND TO REVISE TERMINOLOGY; AMENDING SECTIONS 53-2-1104, 53-2-1105, 53-2-1108 AND 53-2-1109, IDAHO

CODE, TO REVISE SERVICE OF PROCESS PROVISIONS; AMENDING SECTION 53-3-101, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 53-3-1001, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION, TO REMOVE LANGUAGE RELATING TO SERVICE OF PROCESS REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 53-3-1003, IDAHO CODE, TO REVISE ANNUAL REPORT PROVISIONS; AMENDING SECTION 53-3-1102, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO A STATEMENT OF FOREIGN QUALIFICATION AND TO MAKE A TECHNICAL CORRECTION; REPEALING SECTION 53-604, IDAHO CODE, RELATING TO REGISTERED OFFICES AND REGISTERED AGENTS AND REPEALING SECTION 53-606, IDAHO CODE, RELATING TO SERVICE OF PROCESS; AMENDING SECTION 53-608, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO ARTICLES OF ORGANIZATION; AMENDING SECTION 53-613, IDAHO CODE, TO REVISE ANNUAL REPORT REQUIREMENTS; AMENDING SECTION 53-643A, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING REGISTERED OFFICES; AMENDING SECTION 53-643B, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 53-651, IDAHO CODE, TO REQUIRE CERTAIN INFORMATION FOR REGISTRATION; AMENDING SECTION 53-655, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING SERVICE OF PROCESS AND TO REVISE CODE REFERENCES; AMENDING SECTION 53-655A, IDAHO CODE, TO REMOVE LANGUAGE REFERENCING REGISTERED OFFICES; AMENDING SECTION 53-655B, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING SECTION 53-710, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE APPOINTMENT OF AN AGENT TO RECEIVE SERVICE OF PROCESS.

#### **S 1170**

##### **BY JUDICIARY AND RULES COMMITTEE AN ACT**

RELATING TO THE LONG-TERM CARE PARTNERSHIP PROGRAM; AMENDING SECTION 56-1302, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 56-1303, IDAHO CODE, TO PROHIBIT THE CONSIDERATION OF CERTAIN RESOURCES OF INDIVIDUALS WHO HAVE RECEIVED OR ARE ENTITLED TO RECEIVE BENEFITS UNDER A LONG-TERM CARE PARTNERSHIP PROGRAM POLICY; AMENDING SECTION 56-1306, IDAHO CODE, TO REVISE NOTICE REQUIREMENTS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION AND EFFECTIVE DATES.

#### **S 1171**

##### **BY JUDICIARY AND RULES COMMITTEE AN ACT**

RELATING TO ACTIONS FOR INJURY; AMENDING SECTION 5-310, IDAHO CODE, TO PROVIDE FOR AN ACTION FOR DAMAGES FOR THE LOSS OF COMPANIONSHIP, COMFORT, LOVE AND SOCIETY SUFFERED BY PARENTS OF AN INJURED MINOR CHILD; AND AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-312, IDAHO CODE, TO PROVIDE FOR AN ACTION FOR INJURY OF A PARENT OR A GUARDIAN BY A MINOR CHILD OR WARD, TO

PROVIDE AGAINST WHOM THE ACTION MAY BE MAINTAINED AND TO PROVIDE THAT THE ACTION MAY INCLUDE DAMAGES FOR THE LOSS OF COMPANIONSHIP, COMFORT, LOVE AND SOCIETY SUFFERED BY THE MINOR CHILD OR WARD OF AN INJURED PARENT OR GUARDIAN.

**S 1167, S 1168, S 1169, S 1170, and S 1171** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

**S 1094**, by Transportation Committee, was read the second time at length and filed for third reading.

**S 1144 and S 1093**, by Health and Welfare Committee, were read the second time at length and filed for third reading.

**S 1109**, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

**S 1155**, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

#### **Third Reading of Bills**

Senator Werk was recorded present at this order of business.

**S 1085** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Moved by Senator Stegner, seconded by Senator Little, that **S 1085** be referred to the Fourteenth Order of Business for amendment. The question being, "Shall the motion prevail?"

Roll call vote was requested by Senators Stennett, Davis, and Werk.

Roll call resulted as follows:

AYES--Bair, Broadsword, Fulcher, Geddes, Goedde, Hammond, Little, McGee, Siddoway, Stegner. Total - 10.

NAYS--Bastian, Bilyeu, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Gannon, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Lodge, Malepeai, McKague, McKenzie, Richardson, Schroeder, Stennett, Werk. Total - 23.

Absent and excused--Andreason, Pearce. Total - 2.

Total - 35.

Whereupon the President declared that the motion did not prevail.

The question being, "Shall **S 1085** pass?"

Roll call resulted as follows:

AYES--Bastian, Bilyeu, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Gannon, Goedde, Heinrich, Hill, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKenzie, Richardson, Schroeder, Stennett, Werk. Total - 24.

NAYS--Bair, Broadsword, Fulcher, Geddes, Hammond, Jorgenson, McKague, Siddoway, Stegner. Total - 9.

Absent and excused--Andreason, Pearce. Total - 2.

Total - 35.

Whereupon the President declared **S 1085** passed, title was approved, and the bill ordered transmitted to the House.

At this time Senator Davis arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senators Little and Kelly to escort the Honorable Mike Crapo, United States Senator, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Senator Crapo for his remarks and Senators Little and Kelly escorted the Senator from the Chamber, and the committee was discharged.

The President called President Pro Tempore Geddes to the Chair.

**S 1096** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bair, Bastian, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Lodge, Malepeai, McGee, McKague, McKenzie, Richardson, Schroeder, Stegner, Stennett, Werk. Total - 30.

NAYS--Siddoway. Total - 1.

Absent and excused--Andreason, Bilyeu, Little, Pearce. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1096** passed, title was approved, and the bill ordered transmitted to the House.

**S 1102** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Lodge, Malepeai, McGee, McKague, McKenzie, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Andreason, Little, Pearce. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1102** passed, title was approved, and the bill ordered transmitted to the House.

**S 1103** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Lodge, Malepeai, McGee, McKague, McKenzie, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 32.

NAYS--None.

Absent and excused--Andreason, Little, Pearce. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1103** passed, title was approved, and the bill ordered transmitted to the House.

President Risch returned to the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Friday, February 23, 2007.

JAMES E. RISCH, President

Attest: RUSTI HORTON, Acting Secretary